

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GERSON ALBERTO FLORES-RIVERA,

Defendant.

CASE NO. CR21-0096-JCC

ORDER

This matter comes before the Court on Defendant's motion to continue trial and pretrial motions deadline. (Dkt. No. 30.) Defendant indicates that the Government does not oppose. (*Id.* at 3.) Having considered Defendant's motion and the relevant record, the Court GRANTS the motion for the reasons explained below.

Trial in this case is currently set for December 6, 2021, with pretrial motions due November 5, 2021. (Dkt. No. 27.) Defendant's counsel indicates that a continuance is necessary so he can review extensive discovery, counsel his client, prepare motions needed for trial, and, if necessary, explore resolution. (*See* Dkt. No. 30 at 3.) Additionally, this case is related to two others, *United States v. Valdez-Sanudo et al.*, CR20-0217-JCC (W.D. Wash. 2020) and *United States v. Gomez-Marentes*, CR20-0092-JCC (W.D. Wash. 2020), which, together, involve 35 defendants.

Having thoroughly considered the briefing and the relevant record, the Court FINDS that

1 the ends of justice served by granting a continuance outweigh the best interests of Defendants
2 and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

3 1. Taking into account the exercise of due diligence, failure to grant a continuance
4 would deny counsel for Defendant reasonable time necessary for effective preparation, *see* 18
5 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a miscarriage of justice, *see* 18 U.S.C.
6 § 3161(h)(7)(B)(i).

7 2. This case is sufficiently complex, in light of the related cases, such that it is
8 unreasonable to expect adequate preparation for trial within the time limits established by the
9 Speedy Trial Act. *See* 18 U.S.C. § 3162(h)(7)(B)(ii).

10 Accordingly, the Court ORDERS:

- 11 1. Defendant's motion (Dkt. No. 30) is GRANTED.
12 2. The December 6, 2021 jury trial is CONTINUED to June 20, 2022.
13 3. The pretrial motions deadline is CONTINUED until May 23, 2022.
14 4. The period from the date of this order until June 20, 2022 is an excludable period
15 under 18 U.S.C. § 3161(h)(7)(A).

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17 DATED this 19th day of October 2021.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE